



UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE

MOTOROLA INC  
600 NORTH US HIGHWAY 45  
ROOM AS437  
LIBERTYVILLE, IL 60048-5343

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**MAR 09 2006**

Director's Office  
Office of Patent Publication

In re Application of	:	
GEREN, MICHAEL D., et al.	:	
Application No. 09/998,103	:	<b>DECISION ON PETITION</b>
Filed: November 30, 2001	:	
Attorney Docket No. EN11346	:	

This is a decision on the Petition For Withdrawal Of Abandonment, received in the United States Patent and Trademark Office (USPTO) via facsimile transmission on February 7, 2006.

The petition is **DISMISSED**.

The application was held abandoned for applicant's failure to timely file a proper reply to the Office letter mailed on August 8, 2005. Accordingly, the Notice of Abandonment was mailed January 6, 2006.

On August 8, 2005, the Office mailed to Motorola Inc. the Notice Of Drawings Inconsistency With Specification (Notice). The Notice indicated that an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification. The applicant was required to correct the inconsistency within a time period of one month from the mailing date of the Notice. The Office has no record of receipt of a response to the Notice. Therefore, the application was properly abandoned for failure to timely/properly reply to the Notice.

Petitioner's petition refers to the Part B – Free Transmittal but doesn't address the reason for the abandonment of the above-identified application.

The holding of abandonment will not be withdrawn at this time.

The petitioner should consider petitioning to the Director as follows:

Filing a Petition for Revival of Abandoned Application under CFR § 1.137 (a) or (b). (Forms are available at USPTO website <http://www.uspto.gov>)

- Under 37 CFR 1.137(a), a petition for the revival of an *unavoidably* abandoned application
- Under 37 CFR 1.137(b), a petition for the revival of an *unintentionally* abandoned application

Further inquiries with respect to the petition under 37 CFR § 1.137 should be directed to the Office of Petition at 703-305-9282 or 9285 or addressed as follows:

By mail:                      Mail Stop Petitions  
                                    Commissioner for Patents  
                                    P O Box 1450  
                                    Office of Petitions  
                                    Alexandria, VA 22313-1450

Telephone inquiries concerning this decision may be directed to the undersigned at 703-308-9250.



Thomas E. Hawkins  
Paralegal Specialist  
Office of the Director  
Office of Patent Publications